

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Dwayne C. Petty, :
Plaintiff, :
v. : Case No. 2:08-cv-625
Michael J. Astrue, Commissioner : JUDGE FROST
of Social Security,
Defendant. :

ORDER

This case is before the Court to consider a Report and Recommendation issued by the Magistrate Judge on August 7, 2009. No objections have been filed to the Report and Recommendation. Therefore, the Court ADOPTS the Report and Recommendation. The plaintiff's statement of errors is sustained and this case is remanded to the Commissioner pursuant to 42 U.S.C. §405(g), sentence four for further consideration of which Medical-Vocational Guideline properly applies to this case.

/s/ Gregory L. Frost
GREGORY L. FROST
UNITED STATES DISTRICT JUDGE